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FISCAL IMPACT STATEMENT

LS 6962

BILL NUMBER: HB 1288

NOTE PREPARED: Jan 11, 2012

BILL AMENDED:

SUBJECT: Dangerous Wild Animals.

FIRST AUTHOR: Rep. Lawson L

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill classifies certain animals as "dangerous wild animals". Except for certain exemptions, the bill requires that a person must have a permit from the Department of Natural Resources (DNR) to possess a dangerous wild animal. It requires that a person who possesses a dangerous wild animal must meet certain conditions and requirements. The bill allows the DNR to adopt rules concerning permit fees and caging requirements for dangerous wild animals.

The bill prohibits a person from acquiring or breeding a dangerous wild animal after July 1, 2012.

The bill also allows a city or county to adopt more restrictive ordinances concerning dangerous wild animals.

The bill establishes a Class B infraction for a violation and a penalty not to exceed \$2,000 for subsequent violations.

Effective Date: July 1, 2012.

Explanation of State Expenditures: The DNR may adopt rules regarding the possession of a prohibited animal. A person who obtains a permit to possess a prohibited animal must notify the DNR immediately if the prohibited animal escapes, if the animal will be moved, or if the animal is sold or the ownership is transferred. The DNR should be able to implement the notification and regulation provisions of the bill within the current level of resources available to the agency.

The bill may initially require additional resources to provide for an increased number of inspections due to the expansion of the permitting program. Since the bill prohibits the ownership of these animals after July

1, 2012, the number of inspections and permits are expected to decline as existing animals die or have ownership transferred out of state. The bill defines “dangerous wild animal”, including some that are not currently included in the existing DNR rules. Individuals in possession of prohibited animals that are not currently required to obtain a permit, such as owners of nonhuman primates or wolf hybrids, would be required to apply for a permit and have their premises inspected. No data are readily available indicating the number of existing animals that would meet the definition in the bill that are not currently required to be permitted. The DNR estimates the cost of the current permitting program at \$8,800 annually: \$300 for the administrative cost of issuing the permits and \$8,500 for the inspections that are required to be conducted by conservation officers.

The DNR is required to seize and hold a dangerous wild animal if a person does not have a permit to possess the animal or if the person took possession of the animal after July 1, 2012. The DNR may seize and hold a prohibited animal if the DNR believes an emergency exists for specified reasons, including that the animal poses a risk to public health or safety. The owner of a prohibited animal is liable for the costs of seizing and holding the animal as well as the costs of subsequent proceedings required, if any, including a trial.

The bill provides that an animal that is seized may not be returned to the owner unless certain conditions are met. It further provides that if the DNR cannot return the animal to the owner and cannot find a suitable placement, the animal may be euthanized.

Explanation of State Revenues: *Permit Revenue:* Fee revenue may increase from individuals who own animals that are currently not required to obtain a permit, but would under the bill. The amount of increased fee revenue is indeterminate.

Penalty Provision: The maximum judgment for a Class B infraction is \$1,000, which would be deposited in the state General Fund. However, the amount of any additional revenue is likely to be small. The bill also allows for a civil judgement of not more than \$2,000 for an infraction under the chapter if the person has a prior unrelated judgement for violating the chapter.

Background: Current DNR rules regulating the possession of wild animals require a wild animal possession permit for the possession of a state endangered species and the wild animals listed below. The permits must be issued before taking possession of a wild animal and require an application fee of \$10 for each animal and an inspection by a conservation officer to ensure that the animal has been obtained legally and that the housing and enclosure requirements are met. Permits must be renewed annually, and inspections are conducted annually, but there is no fee for the renewal of a permit. Revenue generated is deposited in the Fish & Wildlife Fund.

DNR has issued 303 wild animal possession permits to 181 individuals in the current year. The number of permits issued for each animal include the following: 53 for Class I animals, 187 for Class II animals, and 63 for Class III animals. There are 23 individuals with Class I permits, 129 individuals with Class II permits, and 29 individuals with permits for Class III animals.

Class I	Class II	Class III
Eastern Cottontail Rabbit Gray Squirrel Fox Squirrel Southern Flying Squirrel	Beaver Coyote Gray Fox Red fox Mink Muskrat Opossum Raccoon Skunk Weasel	Wolves (Purebred) Bears (All species) Wild Cats (All species excluding feral cats) Venomous Reptiles Crocodilians (At least 5 feet long)

Explanation of Local Expenditures:

Explanation of Local Revenues: *Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

State Agencies Affected: DNR.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: DNR.

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